

Message Text

CONFIDENTIAL

PAGE 01 USUN N 01095 022343Z

71

ACTION IO-14

INFO OCT-01 ISO-00 EUR-25 SAJ-01 SAM-01 OMB-01 ACDA-19

NIC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 DRC-01

(ISO) W

----- 058758

P 022231Z APR 74

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC PRIORITY 3325

C O N F I D E N T I A L USUN 1095

E.O. 11652: GDS

TAGS: UN PFOR

SUBJ: DEFINITION OF AGGRESSION

REF: DEPT'S 065435

1. WE SENSITIVE TO CONCERNS SET FORTH REFTEL. WE HOWEVER BELIEVE IT POLITICALLY DIFFICULT AND LEGALLY UNNECESSARY DECLINE TO ACCEPT "SEEK AND RECEIVE" LANGUAGE FROM FRIENDLY RELATIONS DECLARATION WHICH WAS APPROVED AND US COSPONSORSHIP AUTHORIZED BY THE SECRETARY IN SEPTEMBER 1970.

2. ON THE OTHER HAND, IT WOULD NOT BE DIFFICULT TO EXPLAIN IN CURRENT CONTEXT THAT REITERATION OF THIS LANGUAGE DOES NOT AMOUNT TO ACCEPTANCE LEGITIMACY USE OF FORCE ANY MORE THAN IN FRIENDLY RELATIONS CONTEXT. WE WOULD PLAN MAKE FOL POINTS IN STATEMENT FOR RECORD TO THIS END:

A) SELF-DETERMINATION SAVINGS CLAUSE FORMULATION LDOES NOT FUNCTION SO AS TO CREATE NEW RIGHTS BUT MERELY ADDS ASSURANCE THAT DEFINITION NOT INTENDED CUT ACROSS EXISTING RIGHT AND OBLIGATIONS REGARDING
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 01095 022343Z

SELF-DETERMINATION.

B) WE ABLE ACCEPT THIS LANGUAGE SINCE IT DOES
NOT SPEAK ABOUT USE OF FORCE AND WE INTERPRET LAWFUL
ASSISTANCE AND SUPPORT AS THAT WHICH IS GIVEN CONSISTENT
WITH ART. 2 PARA 4 OF CHARTER.

C) EVEN IF PHRASE WERE THOUGHT TO REFER TO ARMED
FORCE WE ARE NOT ASSERTING SUCH A USE WOULD BE LEGAL
BUT RATHER THAT, IN LIGHT OF THE PURPOSES INVOLVED,
THE SC, WERE IT ASKED TO CONSIDER A PARTICULAR CASE,
MIGHT NOT WISH TO REGARD IT AS AN ACT OF AGGRESSION.

3. FOR ALL THESE REASONS DELEGATION REQUESTS AUTHORITY
ACCEPT SEEK AND RECEIVE LANGUAGE FRIENDLY RELATIONS
DECLARATION IN THIS CONTEXT.

4. UK DEPPERMRP JAMIESON HAS ASKED AMB. BENNETT TO
URGE THAT US COOPERATE WITH WEO/JAPANESE GROUP OF SIX.
JAMIESON STATED THAT IT IMPORTANT EXERCISE NOT BE SEEN
TO FAIL BECAUSE OF OVER-RIGIDITY ON OUR PART.
SCALI

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, INVASIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 02 APR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974USUNN01095
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740073-0923
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740472/aaaacouu.tel
Line Count: 82
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: DEPT'S 065435
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 01 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 JUL 2002 by cunninfx>; APPROVED <21 FEB 2003 by GolinoFR>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DEFINITION OF AGGRESSION
TAGS: PFOR, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005